IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 21666 of 2007(D)

PETITIONER:

T.P.MOHAMMED RAFI, S/O. KUNJUMUHAMMED,
AGED 26 YEARS, THOTTUPADATH HOUSE,
ERAVAKKAD P.O., PALAKKAD DISTRICT.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:

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1. THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR, REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, THRISSUR.

BY GOVT. PLEADER SRI BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 21666/07

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. ROUGH SKETCH OF THE ROUTE

EXT.P2. COPY OF APPLICATION SUBMITTED BY THE PETITIONER ON 12.12.06 BEFORE THE 1ST RESPONDENT

EXT.P3. COPY OF PROPOSED SET OF TIME SUBMITTED BY THE PETITIONER ON 12.12.06 BEFORE THE 2ND RESPONDENT

EXT.P4. COPY OF PROCEEDINGS DT. 18.1.07 OF THE 1ST RESPONDENT

EXT.P5. COPY OF REVISION PETITION, MVARP NO.181/2007, DT. 5.5.07, PREFERRED BY THE PETITIONER BEFORE STATE TRANSPORT APPELLATE TRIBUNAL, ERNAKULAM

EXT.P6. COPY OF ORDER DT. 11.6.07 RENDERED BY THE STATE TRANSPORT APPELLATE TRIBUNAL, ERNAKULAM, IN MVARP NO. 181/2007.

/TRUE COPY/
PA TO JUDGE.

ANTONY DOMINIC, J.

W.P.(C). NO. 21666 OF 2007

Dated this the 18th day of September, 2007

J U D G M E N T

By Ext.P4, the application made by the petitioner for grant of regular permit was adjourned as the 1st respondent felt that production of concurrence from RTA Palakkad was necessary for considering the application. Petitioner challenged the said order before the Tribunal which dismissed the appeal by Ext.P6 order on the ground that Ext.P4 was not a final order. Aggrieved by Exts. P4 and P6 that this writ petition has been filed.

2. In view of Exts.P4 and P6, the 1st respondent has to consider Ext.P4, on receipt of concurrence from RTA, Palakkad. Even otherwise the application can be considered on merit subject to the petitioner obtaining counter signature, permit can be granted. Therefore, I direct the 1st respondent to consider and pass orders on Ext.P4 application made by the petitioner for regular permit. If concurrence is not received from RTA, Palakkad, permit can even be granted to the petitioner subject to the petitioner obtaining counter signature from the RTA, Palakkad. Orders on Ext.P4 application shall be passed within a period of eight weeks from the date of receipt of a copy of this judgment.

Petitioner shall produce a certified copy of this judgment along with a copy of the writ petition before respondent No.1 for compliance.

ANTONY DOMINIC, JUDGE

vps

K.R. UDAYABHANU, JUDGE

CRL.A. NOS.721/99 & 213/02

JUDGMENT

13TH SEPTEMBER, 2007

CRL.R.P.769/00

ORDER IN CRL.M.P. NO.4143/00 IN CRL.R.P.769/00

DISMISSED

13.9.07 SD/- **K.R. UDAYABHANU, JUDGE**

/TRUE COPY/

PA TO JUDGE.